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35.C5745 CIP/C3/REI

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application
of U.S. Patent No. 5,661,362

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Examiner: M. Day

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SEISHIRO YOSHIOKA ET AL.

)

Group Art Unit: 2879

)

Appln No.: 09/384,326

)

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Filed: August 26, 1999

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For: FLAT PANEL DISPLAY
INCLUDING ELECTRON
EMITTING DEVICE

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Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER 2800

FEB 28 2002

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SUPPLEMENTAL REISSUE DECLARATION FOR REISSUE PATENT
APPLICATION (37 C.F.R. 1.175) AND POWER OF ATTORNEY

Sir:

As a below named inventor, I hereby declare and say that:

1. I believe that I am one of the original, first and joint inventors of the subject matter which is claimed in the subject reissue application and for which a reissue patent is sought on the invention entitled FLAT PANEL DISPLAY INCLUDING ELECTRON EMITTING DEVICE, the specification of which was filed on August 26, 1999 as U.S. Reissue Application No. 09/384,326.

2. I have reviewed and understand the contents of the above-identified reissue application, including the claims.

3. I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 C.F.R. § 1.56.

4. I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application, which designates at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
Japan	62-174837	July 15, 1987	Yes
Japan	62-250448	October 2, 1987	Yes
Japan	62-255063	October 9, 1987	Yes
Japan	62-255068	October 9, 1987	Yes
Japan	63-102485	April 27, 1988	Yes
Japan	63-102486	April 27, 1988	Yes
Japan	63-102487	April 27, 1988	Yes
Japan	63-102488	April 27, 1988	Yes
Japan	63-154516	June 21, 1988	Yes

5. I believe that the original, above-identified U.S. Patent is partly inoperative by reason of my having claimed less than I had the right to claim in the subject patent.

Claims 1-42 and 56-67 are pending in the present reissue application, of which Claims 1-42 are identical to Claims 1-42 of our U.S. Patent 5,661,362, as corrected in the Certificate of Correction issued on March 31, 1998.

Our U.S. Patent 5,661,362 correctly claims some aspects of our invention relating to a display device, but does not claim other aspects to which we are entitled. Therefore, our U.S. Patent 5,661,362 does not give our invention adequate protection. Claims 56-67 were added in this reissue application, and recite at least some features which either do not appear in, or are broader in scope than, any of the claims of our U.S. Patent 5,661,362.

In particular, one of the errors in our U.S. Patent 5,661,362 is that the display apparatus recited in Claim 56 includes a fluorescent layer, and this feature is broader than at least one feature of original Claims 1-42 (of our U.S. Patent 5,661,362, as corrected in the Certificate of Correction issued on March 31, 1998), which recited a display device comprising, inter alia, fluorescent members located at an inner side/face of a face plate above an electron-emitting device.

Accordingly, I believe that the failure of our U.S. Patent 5,661,362 to provide adequate protection for the aspects of our invention discussed above and set forth

in Claim 56 renders the patent partly inoperative for the reason that we claimed less than we had the right to claim in the patent.

6. I hereby declare and say that every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on my part.

7. I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be addressed to the address associated with that Customer Number:

FITZPATRICK, CELLA, HARPER & SCINTO

Customer Number: 05514.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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PATENT APPLICATION

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Washington, D.C. 20231

ASSIGNEE STATEMENT
UNDER 37 C.F.R. § 3.73 (b)

Sir:

The undersigned, as representative of CANON KABUSHIKI KAISHA, certifies that, to the best of his knowledge and belief, title to United States Letters Patent No. 5,661,362 is in the name of CANON KABUSHIKI KAISHA. This title was evidenced by an assignment recorded in the U.S. Patent and Trademark Office on August 19, 1991, at Reel No. 5875, Frame No. 0170, and an assignment recorded in the U.S. Patent and Trademark Office on July 13, 1988 at Reel No. 4907, Frame 0290.

The undersigned (whose title is supplied below) is empowered to sign on behalf of CANON KABUSHIKI KAISHA.

CANON KABUSHIKI KAISHA

Date

Nobuyoshi Tanaka Ph.D.
Managing Director
Group Executive
Corporate Intellectual Property and
Legal Headquarters

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
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ASSENT OF ASSIGNEE TO REISSUE UNDER 37 C.F.R. § 1.172


Sir:

CANON KABUSHIKI KAISHA, a corporation and assignee of the entire right, title, and interest in United States Letters Patent No. 5,661,362, hereby assents to the above-identified application to reissue such Letters Patent.

The undersigned (whose title is supplied below) is empowered to sign on behalf of the assignee.

CANON KABUSHIKI KAISHA

Date


Nobuyoshi Tanaka Ph.D.
Managing Director
Group Executive
Corporate Intellectual Property and
Legal Headquarters